S.B.CRIMINAL MISC. BAIL APPLICATION NO.5715/2006
Date : 04.01.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. P.N. Mohanani)
Miss Yogita Mohanani) for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

In the instant case, the deceased died within seven years of the marriage and the present accused applicant is the husband, therefore, without expressing any opinion on the merit of the case while taking into consideration the overall facts and circumstances of the present case, I do not feel inclined to extend benefit of bail to the applicant. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. stands rejected. However, the applicant shall be free to move regular bail application before the learned trial court after recording of the statements of the material witnesses.

(SATYA PRAKASH PATHAK), J.

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